



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

Wednesday, February 10, 2010

*Commissioner Joyce Avery, Chairman*  
*Commissioner Sidney Chism, Chairman Pro Tempore*  
*Commissioner Henri E. Brooks*  
*Commissioner Wyatt Bunker*  
*Commissioner Mike Carpenter*  
*Commissioner George Flinn*  
*Commissioner J.W. Gibson II*

*Commissioner James Harvey*  
*Commissioner Deidre Malone*  
*Commissioner Edith Ann Moore*  
*Commissioner Steve Mulroy*  
*Commissioner John Pellicciotti*  
*Commissioner Mike Ritz*

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2/9/2010 9:47 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Joyce Avery

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session  
December 21, 2009

**CONSENT AGENDA**

## Resolutions of Memorial, Sympathy and Commendation

### Ordinances

#### **FLINN**

Chairman, General  
Government  
Committee

1. [ORDINANCE - FIRST READING - An ordinance adopting Supplement No. 37 to the Code of the Ordinances of Shelby County, Tennessee. Sponsored by Commissioner George Flinn.](#)

### Zoning and Subdivisions

#### **CARPENTER**

Chairman, Public  
Works Committee

2. [Resolution to approve the re-recording of the plat for Spring Creek Ranch P.D., Phase 3 \(P.D. 99-306 CO\) and authorize the re-recording of the plat. Sponsored by Commissioner Mike Ritz. \(ADD-ON IN COMMITTEE 2/3/10\)](#)

### Reports and/or Resolutions for Standing Committees

#### **RITZ**

Vice-Chairman, Budget  
and Finance  
Committee

3. [Resolution approving a compromise settlement in the case of E.R. v. Shelby County, Et Al., United States District Court No. 08-2378, in the amount of \\$130,000.00, as recommended by the County Attorney and approved by the Administration. Sponsored by Commissioner J.W. Gibson, II.](#)

#### **RITZ**

Vice-Chairman, Budget  
and Finance  
Committee

4. [Resolution approving a contract with State of Tennessee Department of Mental Health and Developmental Disabilities for the provision of mental health evaluation services for misdemeanants, amending the FY 2010 Operating Budget in the amount of \\$450,000.00 for this purpose and approving the expenditure and appropriation of said funds. This item requires expenditure of \\$450,000.00. Sponsored by Commissioner JW Gibson. \(AMENDED IN COMMITTEE 2/3/10\)](#)

**CARPENTER**

Chairman, Public  
Works Committee

5. Resolution approving the grant of a 15 foot wide permanent sanitary sewer easement, together with a temporary construction easement along each side thereof, across a portion of County owned real property, known as the East Shelby Branch Library, located at 7200 E. Shelby Drive, to the City of Memphis, for nominal consideration, for its installation of permanent sanitary sewer improvements. Sponsored by Commissioner Deidre Malone.

**CHISM**

Chairman, Public  
Works Committee

6. Resolution requesting approval of a contract with the City of Memphis, Tennessee, acting through the Memphis Police Department and the Shelby County District Attorney General's Office for the Shelby County Project Safe Neighborhood Initiative from the Department of Justice, Office of Justice Programs in the amount of \$72,418. This item requires expenditure of Federal Grant Funds in the amount of \$72,418. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement  
Committee

7. Resolution approving amendment to FY 2009-10 Fire Department Operating Budget, acceptance, and expenditure of grant funds from the One Hundred Club in the amount of \$1,192.00 for the purchase of smoke detectors for the citizens of Shelby County. This resolution sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement  
Committee

8. Resolution to approve a contract with Cocaine Alcohol Awareness Program, Inc. in the amount of \$127,500.00 for the provision of alcohol and drug treatment services and appropriation of said funds. This item requires expenditures of Federal SAMHSA Grant Funds in an amount not to exceed \$127,500.00. Sponsored by Commissioner Sidney Chism.

**MOORE**

Chairman,  
Community Services  
Committee

9. Resolution to accept Federal Grant Funds in the amount of \$1,611,951.00 for an Early Head Start grant and to amend the FY 2010 Operating Budget and Personnel Complement. This item requires expenditure of Federal Grant Funds in the amount of \$1,611,951.00. Sponsored by Commissioner Edith Ann Moore.

**MOORE**

Chairman, Community  
Services Committee

10. Resolution to amend the FY 2010 Operating Budget to appropriate additional grant funds from the Tennessee Department of Human Services in the amount of \$1,076,747.00 for the Low Income Home Energy Assistance Program for the period of July 1, 2009 through June 30, 2010. This item requires expenditure of state grant funds in the amount of \$1,076,747.00. Sponsored by Commissioner Edith Ann Moore.

**MOORE**

Chairman, Community  
Services Committee

11. Resolution amending the FY 2010 Operating Budget for receipt of a U S Department of Energy Grant in the amount of \$421,800.00 for the Energy Efficiency Conservation Block Grant for the term September 14, 2009 to September 13, 2012; amending the Position Control Budget; and appropriating said funds. This item requires expenditure of Federal Grant Funds in the amount of \$121,436.00. Sponsored by Commissioner Edith Ann Moore.

**FLINN**

Chairman, General  
Government  
Committee

12. Resolution receiving and filing the oaths of office for Commissioner Edith Ann Moore for District 3, Position 3 and Commissioner John Pellicciotti for District 4, Position 3 for the position of Shelby County Commissioner. Sponsored by Commissioner George Flinn.

**FLINN**

Chairman, General  
Government  
Committee

13. Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner George Flinn.

**FLINN**

Chairman,  
General Government  
Committee

14. Resolution Amending Rule 7(D) Of The Shelby County Board Of Commissioners' Permanent Rules Of Order. Sponsored By Commissioner Mike Carpenter.

**FLINN**

Chairman, General  
Government  
Committee

15. Resolution amending Rule 6(c) of the Shelby County Board of Commissioners' Permanent Rules of Order. Sponsored by Commissioner Mike Carpenter. (AMENDED IN COMMITTEE 2/3/10)

**FLINN**

Chairman, General  
Government  
Committee

16. [Resolution amending Rule 6 of the Shelby County Board of Commissioners' Permanent Rules of Order so as to require certain supporting material accompany resolutions approving contracts and to authorize the removal of items from committee agendas that do not meet the requirements of the Permanent Rules. Sponsored by Commissioner Steve Mulroy. \(AMENDED IN COMMITTEE 2/3/10\)](#)

**RITZ**

Acting Chairman,  
Delinquent Tax  
Property Committee

17. [Resolution approving the sale of thirteen \(13\) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 0005, 0106, 0205, 0206, 0403, 0405, 0501, and 0503, to identified purchasers at various prices collectively totaling \\$40,700.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner Henri Brooks.](#)

**RITZ**

Acting Chairman,  
Delinquent Tax  
Property Committee

18. [Resolution approving the sale of eight \(8\) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 0005, 95.2, 0201, 0205, 0501, and 0503, to identified purchasers at various prices collectively totaling \\$28,000.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner Henri Brooks.](#)

***REGULAR AGENDA*****Elections, Appointments, and Confirmations****FLINN**

Chairman,  
General  
Government  
Committee

19. [Resolution approving the County Mayor's nomination of David Bodkin for appointment to the Memphis and Shelby County Cross Connection Board. Sponsored by Commissioner George Flinn.](#)

**Ordinances****RITZ**

Vice-Chairman,  
Budget and  
Finance  
Committee

20. [ORDINANCE - SECOND READING - An ordinance amending Shelby Code of Ordinances Section 2-56 to 2-71 to update the Shelby County Purchasing Procedures. Sponsored by Commissioner Deidre Malone \(AMENDED IN COMMITTEE 2/3/10\)](#)

## Zoning and Subdivisions

### Reports and/or Resolutions for Standing Committees

#### **MALONE**

Chairman, Hospitals  
and Health Committee

21. A resolution approving an amendment to the existing contract between Shelby County Government and Correct Care Solutions, Inc. (CCS) to extend the contract term for the period July 1, 2010 through June 30, 2011 for the provision of inmate medical care at the Jail at 201 Poplar and the Correction Center facilities at Mullins Station that will allow for the institutionalizing of the processes and procedures that led to the dismissal of the Department of Justice order against the Jail and the full accreditation of the Jail, and appropriation of said funds. This item requires expenditure of General funds provided in an amount not to exceed \$9,615,478.00 for services provided to all Jail facilities and in an amount not to exceed \$5,732,610.00 for services provided to the Correction Center, for a total amount of \$15,348,088.00, which represents no increase of cost over the amounts provided for in FY10. Resolution sponsored by Commissioner Deidre Malone. (DEFERRED FROM 1/20/10)

#### **MULROY**

Chairman, Legislative  
Committee

22. A Resolution by The Board of Commissioners of Shelby County, Tennessee, requesting The Shelby County Delegation to support, and members of The Tennessee General Assembly to enact, legislation amending Tennessee Code Annotated, Title 7, Chapter 53, relative to industrial development corporations. Sponsored by Commissioner Steve Mulroy.

**MULROY**  
Chairman, Legislative  
Committee

23. Resolution requesting all candidates for Governor of the State of Tennessee during the 2010 election cycle to sign a pledge to work to provide the Regional Medical Center (the MED) 1-to-3 or 2-to-3 matching of federal funding for Shelby County's recent \$10 million commitment of new and additional funding to the MED all federal funding for uncompensated care that the state receives based on the MED'S charity/ uncompensated care. Sponsored by Commissioner George Flinn.(AMENDED IN COMMITTEE 2/3/10)

**MULROY**  
Chairman, Legislative  
Committee

24. Resolution by the Board of County Commissioners of Shelby County, Tennessee requesting the members of the Tennessee General Assembly to support legislation to repeal changes to Tennessee Code Annotated Title 33, Chapter 7, Part 3 made in 2009 that obligate local government to pay for misdemeanor mental health evaluations and inpatient treatment. Sponsored by Commissioner Steve Mulroy. (ADD-ON IN COMMITTEE 2/3/10)

#### Announcements/Statements

25. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Marie Campbell, Jerald H. Sklar and Harvey Kennedy for appointment to the Shelby County Retirement Board. Sponsored by Commissioner George Flinn. b) Resolution approving the County Mayor's nomination of Cathy Simmons, Mary Sharp and Eunice Lipford, Jr. for reappointment to the Memphis and Shelby County Center City Parking Authority. Sponsored by Commissioner George Flinn.

#### Adjournment

26. Adjournment to Monday, February 22, 2010 at 1:30 p.m.